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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,200	08/21/2003	Arthur T. Sempliner	1684-002P/FLS	9043

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EXAMINER

COTTINGHAM, JOHN R

ART UNIT PAPER NUMBER

3679

DATE MAILED: 03/31/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/646,200

Applicant(s)

SEMPLINER, ARTHUR T.

Examiner

John R. Cottingham

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 6-9 is/are rejected.
- 7) ☒ Claim(s) 2-5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claim 1 recites the limitation "said clamping plates" in line 6. There is insufficient antecedent basis for this limitation in the claim.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Miller U.S. Patent 2,759,574. Miller shows all of the claimed limitations of a clamping mechanism in Figures 1-3.

Regarding claim 1, a clamping mechanism for securing a slideable member to a slide track 13, wherein the slide track 13 has a channel with a restricted entrance opening and spaced apart side walls, which comprises (a) a pair of opposed clamping elements 11 adapted to be received through said restricted entrance and having inner end portions (tips at 17) engageable with said side walls 11, (b) a support body 14 for movably supporting said clamping plates 11 with said inner end portions thereof exposed for reception in said slide track channel, (c) a fulcrum element (tips of 14) positioned between and engaging said opposed clamping elements closely adjacent the inner end portions thereof, (d) outer portions of said clamping elements 11

extending outward from said fulcrum element for a predetermined distance (at 17 they extend outward), and (e) means 15 for applying closing pressure to the outer portions of said clamping elements to forcibly urge the inner portions thereof outwardly against side wall portions of said slide track channel.

Regarding claim 6, a mechanism for secure engagement of slideable elements in dovetail or similar tracks comprising (a) a pair of plate elements 11 disposed in face-to-face relation (b) said plate elements 11 having lower edges (below 17) adapted to project outwardly at a predetermined angle to engage interior sidewalls of a slide track; and (c) a means 14 adapted to converge upper portions of said plate elements towards one another to forcibly urge said lower edges securely against the interior walls of a slide track.

Regarding claim 7, wherein a spacer element is positioned between said plate elements at a predetermined distance adjacent to said lower edges.

Regarding claim 8, wherein (a) said spacer element 14 comprises a wider portion and a narrow portion, and (b) said spacer element is rotatably mounted between said plate elements to facilitate installation and removal of said mechanism.

Regarding claim 9, wherein a lever means 15 is pivotally position movable into a position to engage said upper portions and converge said upper portions.

***Allowable Subject Matter***

3. Claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


**Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Anderson et al. U.S. Patent 4,249,355, Pavolot U.S. Patent 3,900,269, and Foltz U.S. Patent 3,436,047 show similar inventions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John R. Cottingham whose telephone number is (703) 306-3439. The examiner can normally be reached on Monday - Thursday, alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (703) 308-1159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
John R. Cottingham  
Primary Examiner  
Art Unit 3679